

REMARKS

Applicants kindly thank the Examiner for allowing Claims 17-25 and 34-43. The Examiner also provides a number of rejections and we list them here in the order in which they are addressed:

- I. Claims 1, 5, 7, 9, 13, 15, 26, 30, and 32 are rejected under 35 USC § 102(b) as being allegedly anticipated by Alderete *et al.* (United States Patent No. 5,714,121)
- II. Claims 2-4, 6, 8, 10-12, 14, 16, 27-29, 31 and 33 are objected to for depending upon a rejected base claim that would be allowable if rewritten in an independent form.
- III. Formal drawings in accordance with 37 CFR §1.84 are required.

I. Claims 1, 5, 7, 9, 13, 15, 26, 30 and 32 Are Not Anticipated By Alderete *et al.*

Claims 1, 5, 7, 9, 13, 15, 26, 30, and 32 are rejected under 35 USC § 102(b) as being allegedly anticipated by Alderete *et al.* (United States Patent No. 5,714,121). The Applicants disagree.

Nonetheless, without acquiescing to the Examiner's argument but to further the prosecution, and hereby expressly reserving the right to prosecute the original (or similar) claims, Applicants have amended Claims 1, 9, and 26 to recite that the metal is "configured in a layer". These amendments result, of course, in the concomitant cancelation of Claims 2, 10, and 27. Further, Claims 5, 13, and 30 are amended to more properly depend from Claims 4, 12, and 29, respectively. Applicants noticed that the claims, as filed, were misnumbered and listed two Claim 43's. Applicants have amended the "first" Claim 43 to be Claim 42. These amendments are made not to acquiesce to the Examiner's argument but only to further the Applicants' business interests, better define one embodiment and expedite the prosecution of this application.

As Alderete *et al.* do not disclose any metal configured as a layer comprising a fluorescent compound, the Applicants now respectfully request the Examiner to withdraw the rejection.

II. Claims 2-4, 6, 8, 10-12, 14, 16, 27-29, 31, and 33 Are Based On Patentable Claims

The Examiner states that:

Claims 2-4, 6, 8, 10-12, 14, 16, 27-29, 31 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Office Action pg. 3. The Applicants disagree because Alderete *et al.* is not an anticipating reference to either the rejected claims or the presently amended claims (*supra*). Consequently, these dependent claims are based upon allowable independent claims. Applicants, therefore, respectfully request the Examiner withdraw this objection.

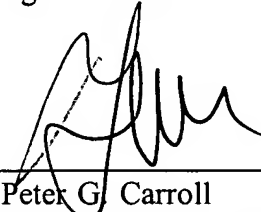
III. Formal Drawings Are Provided

The Examiner has requested corrected drawing sheets in compliance with 37 CFR 1.121(d) and 1.84. This response is being submitted with formal drawings. The Examiner is requested to note that Figure 3 has been separated into Figure 3A and Figure 3B with the specification amended accordingly. No new matter has been introduced.

CONCLUSION

The Applicants believe that the arguments set forth above traverse the Examiner's rejections and, therefore, request that all grounds for rejection be withdrawn for the reasons set above. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicants encourage the Examiner to call the undersigned collect at 617.984.0616.

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